

UNITED STATES DISTRICT COURT

for the
Eastern District of Missouri

In the Matter of the Search of

United Parcel Service (UPS) package)
 #1Z5X309E0152170434 ("Subject Package"),)
 addressed to: " T Slavson 4222 E. Margarett Ave Apt)
 C, St. Louis, MO 63115-3410" from "The UPS Store,)
 5825 Lincoln Ave Ste D, Buena Park, CA 90620-)
 3474."

Case No. 4:17 MJ 1136 JMB

APPLICATION FOR A SEARCH WARRANT

I, Matthew P. Main, a federal law enforcement officer or an attorney for the government request a search warrant and state under penalty of perjury that I have reason to believe that on the following property:

United Parcel Service (UPS) package #1Z5X309E0152170434 ("Subject Package"), addressed to: " T Slavson 4222 E. Margarett Ave Apt C, St. Louis, MO 63115-3410" from "The UPS Store, 5825 Lincoln Ave Ste D, Buena Park, CA 90620-3474."

located in the EASTERN District of MISSOURI, there is now concealed

controlled substances and/or United States Currency

The basis for the search under Fed. R. Crim. P. 41(c) is (*check one or more*):

- ☒ evidence of a crime;
- ☒ contraband, fruits of crime, or other items illegally possessed;
- ☒ property designed for use, intended for use, or used in committing a crime;
- ☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Code Section

Offense Description

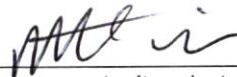
Title 21, U.S.C., §§ 846, 841(a)(1)

Conspiracy to possess with intent to distribute controlled substance(s)

The application is based on these facts:

SEE ATTACHED AFFIDAVIT WHICH IS INCORPORATED HEREIN BY REFERENCE.

- ☒ Continued on the attached sheet.
- ☒ Delayed notice of 180 days (give exact ending date if more than 30 days: 11/10/2017) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.



Applicant's signature

Matthew P. Main, Task Force Officer

Drug Enforcement Administration

Printed name and title

Sworn to before me and signed in my presence.

Date: May 10, 2017

City and State: St. Louis, MO



Judge's signature

Honorable John M. Bodenhausen, U.S. Magistrate Judge

Printed name and title

AUSA: Beth H. Orwick

AFFIDAVIT

I, Matthew P. Main, your affiant, am a Task Force Officer (TFO) of the Drug Enforcement Administration of the United States Department of Justice, St. Louis, Missouri, and, being duly sworn, states:

I am a Task Force Officer (TFO) of the Drug Enforcement Administration (DEA) of the United States Department of Justice, and, as such, am an Investigator or Law Enforcement Officer of the United States within the meaning of Title 18, United States Code, Section 2510(7), that is, an officer of the United States who is empowered by law to conduct investigations of, and to make arrests for, offenses enumerated in Title 18, United States Code, Section 2516.

I have been working in the capacity as a TFO of the DEA since October 2016 and have been employed as a sworn police officer for approximately seventeen (17) years. Since being assigned to the DEA, I have been involved in numerous investigations involving drug-trafficking organizations (DTOs), including Title III investigations encompassing large structured DTOs, operating over multiple states and have worked with a team of experienced investigators and agents.

Based on my training, experience and participation in controlled substance investigations which have resulted from violations of the federal and state narcotic laws, your affiant makes this affidavit in support of the search of the following identified United Parcel Service (UPS) package: **Cardboard rectangular box with UPS Tracking #1Z5X309E0152170434, (“subject package”), weighing 3lbs addressed to “T Slavson 4222 E. Margaretta Ave Apt C, St. Louis, MO 63115-3410.” Shipped from “The UPS Store, 5825 Lincoln Ave Ste D, Buena Park, CA 90620-3474.”**

A. Investigation

1. On February 8, 2017, members of the St. Louis Metropolitan Police Department executed a search warrant in St. Louis, MO. During the warrant, officers seized, among other items, a crown royal bottle containing approximately 220 milliliters of an amber fluid suspected of being PCP. [REDACTED] DEA St. Louis acquired a Confidential Source (hereinafter referred to as CS)¹ who provided information on the **Jonathan BERNARD** Drug Trafficking Organization, operating in Los Angeles, CA. The CS indicated he/she owed **BERNARD** approximately twenty-two thousand dollars for PCP [REDACTED]. Investigators determined **BERNARD** is a significant source of supply in St. Louis, Kansas City, and other locations. DEA initiated an investigation based, in part, on the information provided by the CS which indicated that **Jonathan BERNARD** is a principal leader of a Phencyclidine (PCP) distribution organization.

2. At the direction of investigators, the CS contacted **Jonathan BERNARD** on a Consensual Title III telephone and ordered PCP from **Jonathan BERNARD** to be shipped from Los Angeles to the CS in St. Louis, MO, via UPS, on April 17, 2017, with an overnight delivery date of April 18, 2017. In conjunction with UPS security services, investigators intercepted that

¹ [REDACTED] CS is seeking sentencing consideration in return for assistance [REDACTED]. I have discussed the reliability of CS with the handling agents and Task Force Officers. Through this discussion, I have learned of no instances where the information provided by CS to law enforcement officers in this investigation has been false or misleading. For these reasons, I consider CS to be reliable. His/her criminal convictions include: 1984, Robbery 1st Degree, 10 years confinement; 1989, Unlawful Use of a Weapon, 5 years confinement; 1990, Tampering 1st with Service of Utility, Making False Declaration, Fail to Appear, 5 years confinement; 1995, Robbery 1st Degree, 2 counts, Unlawful Use of a Weapon, Tampering 1st with Service of Utility, 10 years confinement; 2012, Conspiracy to Distribute a Controlled Substance, 55 months confinement; and, 2017, Distribution of a Controlled Substance, [REDACTED].

parcel at the UPS depot, located at 520 S. Jefferson Ave, St. Louis, MO, on April 18, 2017. The package had been shipped from The UPS Store #5882, 5825 Lincoln Ave Ste. D, Buena Park, CA 90620-3474 and was addressed to T. Slavson, 4222 E. Margaretta Apt C, St. Louis, MO 63115-3410. Agents responded to the UPS location on S. Jefferson and the CS consented to law enforcement search and seizure of the parcel. Following the seizure, agents and the CS made payment to **BERNARD** for that parcel. The parcel was found to contain an Apple Cider Vinegar bottle that contained approximately 451 grams of PCP, which field tested positive for PCP.

3. On May 1, 2017, investigators received judicial authorization to monitor communications to and from cellular telephone 562-314-8541, utilized by **Jonathan BERNARD**. On May 4, 2017, at the direction of investigators the CS contacted **BERNARD** on 562-314-8541 and advised **BERNARD** that that CS was ready for **BERNARD** to send another PCP parcel. The CS advised **BERNARD** that he/she was going to need to meet him (**BERNARD**) on Margaretta, indicating that **BERNARD** was to ship the parcel to the same address, 4222 E Margaretta, which they had used in the past. **BERNARD** responded to the CS that he would meet him/her there on Tuesday, understood by the CS to mean May 9, 2017, indicating that the parcel would be delivered on that date. Investigators contacted UPS security and on May 9, 2017, UPS security advised that they had custody of the **subject package** at the UPS depot located at 520 S. Jefferson, St. Louis, MO. Your affiant responded to the depot on S. Jefferson and took custody of the **subject package**. It was found to have a UPS mailing label with tracking #1Z5X309E0152170434, shipped from The UPS Store #5882, 5825 Lincoln Ave Ste. D, Buena Park, CA 90620-3474 to T. Slavson 4222 E. Margaretta Ave Apt C, St. Louis, MO 63115-3410. This shipping and receiving address was consistent with the first parcel that investigators found to contain 451 grams of PCP that was seized on April 18, 2017. After investigators took possession of the **subject package**, UPS security

marked it in their system as undeliverable due a liquid leaking from the package. On May 9, 2017, after learning the parcel was labeled as destroyed by UPS personnel, **BERNARD** contacted the CS from 562-314-8541 and instructed him/her to find a new location to have packages shipped to and they would stop using the Margareta address. **BERNARD** speculated that the parcel was stolen by a UPS employee, and questioned the CS about whether he/she observed delivery drivers near the intended delivery address. **BERNARD** indicated he would send another package in a short time to replace the one lost in transit.

4. Additionally, given the nature of the investigation described herein, agents do not believe the investigation will reasonably be concluded in the next 180 days/6 months. Any safety concerns to cooperators, undercover agents, witnesses that will not be resolved or mitigated in less than 180 days/6 months. In light of the ongoing nature of the investigation and this affidavit, I request that this affidavit be sealed.

GN PERFORMANCE
(714) 501-2100
THE UPS STORE #5882
5825 LINCOLN AVE STE D
BUENA PARK CA 90620-3474

3 LBS
SHP WT: 3 LBS
DWT: 13,7,7
DATE: 08 MAY 2017

1 OF 1

SHIP T. SLAVSON
TO: APT C
4222 E MARGARETTA AVE

SAINT LOUIS MO 63115-3410



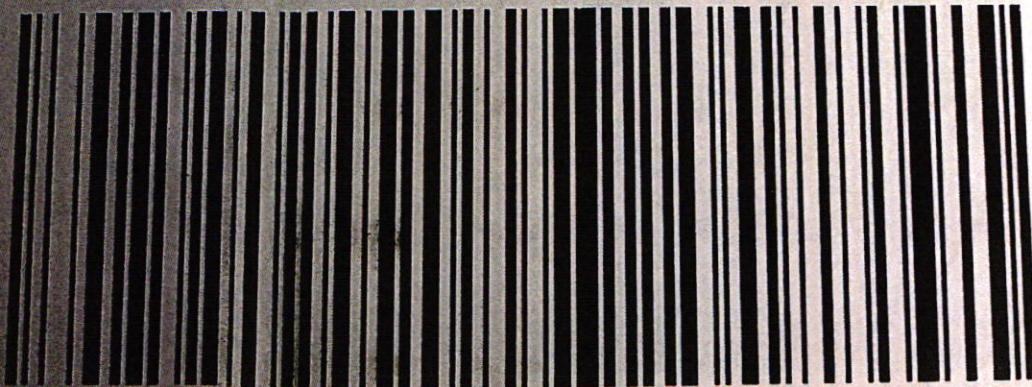
MO 631 9-01



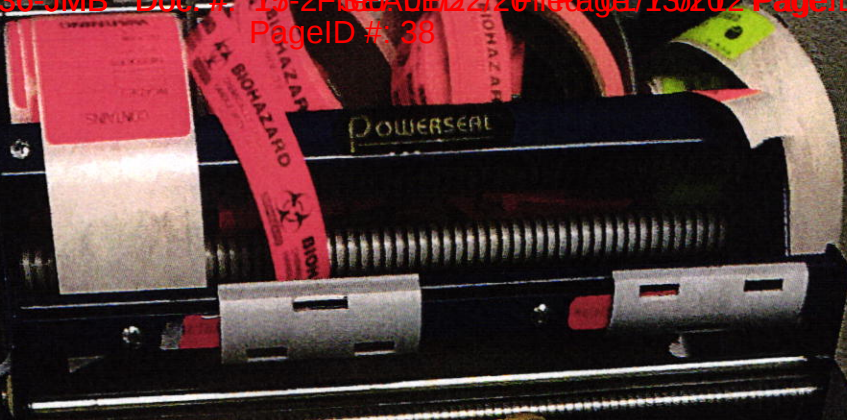
UPS NEXT DAY AIR

TRACKING #: 1Z 5X3 09E 01 5217 0434

1



ING: P/P



3 LBS 1 OF 1
SHIP T. SLAVSON
TO: APT C MARGARETTA AVE
SAINT LOUIS MO 63115-3410
MO 631 9-01
UPS NEXT DAY AIR 1
TRACKING #: 1Z 5X3 09E 01 5217 0434

T. SLAVSON
4222 E. MARGARETTA AVE
APT C
SAINT LOUIS MO 63115
P. BROWN S. BROWN 1: NOR
X 1030
AM1-1034
125X309015217 0434
US 1210 002 17 01 01 0484

AGILE
The world that he gave his one and only
Son, in him shall not perish but have eternal life.
John 3:16

FRAGILE
For God so loved the world that he gave his one and only
Son, that whoever believes in him shall not perish but have eternal life.
John 3:16

MISS

UNITED STATES DISTRICT COURT

for the
Eastern District of MissouriIn the Matter of the Search of
(Briefly describe the property to be searched
or identify the person by name and address)United Parcel Service (UPS) package
#1Z5X309E0152170434 ("Subject Package"),
addressed to: " T Slavson 4222 E. Margaretta Ave Apt
C, St. Louis, MO 63115-3410" from "The UPS Store,
5825 Lincoln Ave Ste D, Buena Park, CA 90620-
3474."

Case No. 4:17 MJ 1136 JMB

SEARCH AND SEIZURE WARRANT

To: Any authorized law enforcement officer

An application by a federal law enforcement officer or an attorney for the government requests the search of the following person or property located in the EASTERN District of MISSOURI
(identify the person or describe the property to be searched and give its location):

United Parcel Service (UPS) package #1Z5X309E0152170434 ("Subject Package"), addressed to: " T Slavson 4222 E. Margaretta Ave Apt C, St. Louis, MO 63115-3410" from "The UPS Store, 5825 Lincoln Ave Ste D, Buena Park, CA 90620-3474."

I find that the affidavit(s), or any recorded testimony, establish probable cause to search and seize the person or property described above, and that such search will reveal (identify the person or describe the property to be seized):

controlled substances and/or United States Currency

YOU ARE COMMANDED to execute this warrant on or before May 23, 2017 (not to exceed 14 days)
☒ in the daytime 6:00 a.m. to 10:00 p.m. ☐ at any time in the day or night because good cause has been established.

Unless delayed notice is authorized below, you must give a copy of the warrant and a receipt for the property taken to the person from whom, or from whose premises, the property was taken, or leave the copy and receipt at the place where the property was taken.

The officer executing this warrant, or an officer present during the execution of the warrant, must prepare an inventory as required by law and promptly return this warrant and inventory to John M. Bodenhausen
(United States Magistrate Judge)

☒ Pursuant to 18 U.S.C. § 3103a(b), I find that immediate notification may have an adverse result listed in 18 U.S.C. § 2705 (except for delay of trial), and authorize the officer executing this warrant to delay notice to the person who, or whose property, will be searched or seized (check the appropriate box)

☐ for _____ days (not to exceed 30) ☒ until, the facts justifying, the later specific date of 11/10/2017.

Date and Time issued: 5/10/17 2:10pm

Judge's signature

City and State: St. Louis, MO

Honorable John M. Bodenhausen, U.S. Magistrate Judge
Printed name and title

AO 93 (Rev. 11/13) Search and Seizure Warrant (page 2)

Return

Case No.:
4:17 MJ 1136 JMB

Date and time warrant executed:

Copy of warrant and inventory left with:

Inventory made in the presence of:

Inventory of the property taken and name of any person(s) seized:

Certification

I declare under penalty of perjury that this inventory is correct and was returned along with the original warrant to the designated judge.

Date: _____

Executing officer's signature

Printed name and title

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

IN THE MATTER OF THE SEARCH OF:

)
United Parcel Service (UPS) package)
#1Z5X309E0152170434 ("Subject Package"),)
addressed to: " T Slavson 4222 E. Margareta Ave)
Apt C, St. Louis, MO 63115-3410" from "The UPS)
Store, 5825 Lincoln Ave Ste D, Buena Park, CA)
90620-3474.")

No. 4:17 MJ 1136 JMB

FILED UNDER SEAL

MOTION FOR SEALING ORDER

COMES NOW the United States of America, by and through its attorneys, Carrie Costantin, Acting United States Attorney for the Eastern District of Missouri, and Beth H. Orwick, Assistant United States Attorney for said District, and moves this Court for an order directing that the search warrant, along with its application, affidavit, and return, entered by this Court be sealed until November 10, 2017, except for the limited purposes of providing same to defense counsel pursuant to Rules 12 and 16 of the Federal Rules of Criminal Procedure.

In support of this Motion, the Government provides the following facts, establishing that (a) the government has a compelling interest in sealing the documents in question which outweighs the public's qualified First Amendment right of access to review those documents; and (b) no less restrictive alternative to sealing is appropriate or practical:

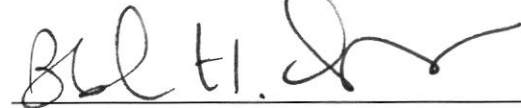
Because this investigation is ongoing and its success would be jeopardized if the contents of the affidavit were made public, and because disclosure of the contents of the affidavit could subject the CS to retaliation and/or physical harm, the Government requests that the affidavit and the accompanying search-warrant documents be sealed for the stated period of time.

WHEREFORE, for the reasons stated above, the Government respectfully requests that the search warrant, along with its application, affidavit, and return, be sealed until November 10, 2017.

Dated this 10th day of May, 2017.

Respectfully submitted,

CARRIE COSTANTIN
Acting United States Attorney

A handwritten signature in black ink, appearing to read "Beth H. Orwick", written over a horizontal line.

BETH H. ORWICK, #52089MO
Assistant United States Attorney

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

IN THE MATTER OF THE SEARCH OF:

United Parcel Service (UPS) package #1Z5X309E0152170434 ("Subject Package"), addressed to: " T Slavson 4222 E. Margaretta Ave Apt C, St. Louis, MO 63115-3410" from "The UPS Store, 5825 Lincoln Ave Ste D, Buena Park, CA 90620-3474."

No. 4:17 MJ 1136 JMB

FILED UNDER SEAL

ORDER

On motion of the United States of America, IT IS HEREBY ORDERED that the search warrant, along with its application, affidavit, and return, and this Order issued thereto, be sealed until November 10, 2017, except for the limited purposes of providing same to defendant counsel pursuant to Rules 12 and 16 of the Federal Rules of Criminal Procedure.

This Order is based upon the sealed motion of the Government establishing that: (a) the government has a compelling interest in sealing the documents in question which outweighs the public's qualified First Amendment right of access to review those documents; and (b) no less restrictive alternative to sealing is appropriate or practical.

JOHN M. BODENHAUSEN
United States Magistrate Judge

Dated this 10 day of May, 2017.